

AN ACT concerning safety.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Hazardous Material Emergency Response Reimbursement Act is amended by changing Section 3 as follows:

(430 ILCS 55/3) (from Ch. 127 1/2, par. 1003)

Sec. 3. Definitions. As used in this Act:

(a) "Emergency action" means any action taken at or near the scene of a hazardous materials emergency incident to prevent or minimize harm to human health, to property, or to the environments from the unintentional release of a hazardous material.

(b) "Emergency response agency" means a unit of local government, ~~or~~ volunteer fire protection organization, or the American Red Cross that provides:

- (1) firefighting services;
- (2) emergency rescue services;
- (3) emergency medical services;
- (4) hazardous materials response teams;
- (5) civil defense; ~~or~~
- (6) technical rescue teams; or ~~or~~
- (7) mass care or assistance to displaced persons.

(c) "Responsible party" means a person who:

(1) owns or has custody of hazardous material that is involved in an incident requiring emergency action by an emergency response agency; or

(2) owns or has custody of bulk or non-bulk packaging or a transport vehicle that contains hazardous material that is involved in an incident requiring emergency action by an emergency response agency; and

(3) who causes or substantially contributed to the cause of the incident.

(d) "Person" means an individual, a corporation, a partnership, an unincorporated association, or any unit of federal, State or local government.

(e) "Annual budget" means the cost to operate an emergency response agency excluding personnel costs, which include salary, benefits and training expenses; and costs to acquire capital equipment including buildings, vehicles and other such major capital cost items.

(f) "Hazardous material" means a substance or material in a quantity and form determined by the United States Department of Transportation to be capable of posing an unreasonable risk to health and safety or property when transported in commerce.

(g) "Panel" means administrative panel.

(Source: P.A. 93-159, eff. 1-1-04.)